

such person; but if the court shall determine that such person is insane, then the court shall order that such person be returned to the institution from which he has been taken under said writ of *habeas corpus*.

An. Code, 1924, sec. 21. 1920, ch. 682.

22. That in any instance in which any person or persons may now or hereafter be confined in any institution of this State by virtue of being insane, or laboring under any mental disorder who may have been so confined or committed to any such institution by virtue of any of the provisions of this Article, or any other instance, upon application to any of law courts of the City of Baltimore, or of any of the Circuit Courts of this State, said person or persons may on his or her own behalf, or on behalf of any other person for them, file a petition in said court, requesting said court that said person or persons so confined be immediately brought before said court to test said question of sanity or insanity or mental disorder; and said court is authorized and directed to forthwith empanel a jury in the usual way, to summon witnesses and to hear evidence, and said jury shall determine the question of the sanity or insanity of said person, and whether or not said person is laboring under any mental disorder, and if the jury determine that said person or persons is insane or suffering from some mental disorder, the said person shall be immediately remanded to the institution in which confined; but if said jury shall determine that said person or persons is sane, or is not laboring under any mental disorder, such person shall be immediately released and discharged from custody.

See art. 16, sec. 123, *et seq.*

1927, ch. 393.

23. Where a veteran of any War, military occupation or expedition, is, or has been, adjudged mentally incompetent by a Court of competent jurisdiction and commitment to a hospital for the insane is necessary, such Court is hereby authorized to communicate with the official in charge of the U. S. Veterans' Hospital within the State of Maryland with reference to the eligibility of such veteran to be hospitalized in such United States Veterans' Hospital. If the Court is advised by the official in charge of such hospital that such veteran is entitled to hospitalization and the veteran is acceptable for same and Bureau facilities within the State of Maryland are available, the Court may direct such veteran's commitment to such United States Veterans' Hospital within the State of Maryland and such veteran upon admission shall be subject to the rules and regulations of such hospital and the officials of such hospital shall be invested with the same powers now exercised by Superintendents of State hospitals for insane with reference to the retention of custody of veterans so committed, if it is deemed advisable to assume such powers.

Provided, however, that any veteran, as prescribed above, who shall have been duly committed to a State hospital for the insane within the State of Maryland prior to April 26, 1927, may be transferred to the custody of the official in charge of the U. S. Veterans' Hospital as provided above and such transfer of custody shall not affect the efficacy of the original order of commitment in such case.

This legislation is intended as an addition to and does not affect the repeal of any existing legislation governing matters of this nature which are not in conflict with the provisions of this section.

See Art. 65, sec. 59-80.